

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Douglas W. Raymond and Richard D. Fleming
Assignee: Landrex Technologies Co., Ltd.
Title: Optical Inspection System
Application No.: 09/593,352 Filing Date: June 14, 2000
Examiner: Allen C. Wong Group Art Unit: 2613
Docket No.: M-15703 US Confirmation No.: 8371

San Jose, California
February 17, 2006

Attention: Office of Petitions
Mail Stop Petition
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.10(e) TO
ACCORD FILING DATE FOR EXPRESS MAIL CORRESPONDENCE**

Dear Sir:

This is a petition to accord the Submission of Formal Drawings in the above-identified application a filing date of October 27, 2005, which is the date the correspondence was deposited with the U.S.P.S. with proper postage as "Express Mail."

The above-identified application became abandoned for failure to timely file the Corrected Drawings within the statutory period of three months from the September 28, 2005, mailing date of the Notice of Allowance. A Notice of Abandonment was mailed by the United States Patent and Trademark Office ("USPTO") on February 2, 2006.

- (1) Submitted herewith is the Declaration of Hugh H. Matsubayashi in Support of a Petition Under 37 C.F.R. § 1.181(a) as to when the discrepancy was discovered and establishing that this Petition is being filed promptly thereafter. 37 C.F.R. § 1.10(e)(1).
- (2) Express Mail Label No. EV 679 031 326 US was clearly listed on the the Submission of Formal Drawings submitted on October 27, 2005.

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Facsimile: (408) 392-9262

(3) Attached as Exhibit A is a copy of the Submission of Formal Drawings, clearly showing Express Mail Label No. EV 679 031 326 US. Attached as Exhibit B is a copy of the Return Receipt Postcard, stamped by the OIPE of the USPTO as received on October 27, 2005. This Return Receipt Postcard indicates that a Submission of Formal Drawings (1 page) and 7 Sheets of Formal Drawings (Figures 1, 1A, 2, 3, 4, 5 and 6) were enclosed. Attached as Exhibit C is a copy of Express Mail Mailing Label No. EV 679 031 326 US, clearly showing the "date-in" date of 10-27-05.

(4) The attached Declaration of Hugh H. Matsubayashi in Support of a Petition Under 37 C.F.R. § 1.181(a) establishes that the copies of the correspondence, the copy of the Express Mail mailing label, and the copy of the Return Receipt Postcard are true copies of the originally-mailed documents.

It is believed that no fee is required for this petition. However, if any fee is required, the Office is authorized to charge. Deposit Account No. 50-2257 referencing docket no. M-15703 US for the necessary fees.

If the Office of Petitions has any questions on this matter, please call the undersigned attorney at (408) 392-9250, extension 249.

**EXPRESS MAIL LABEL NO.
EV 744 909 068 US**

Respectfully submitted,



Hugh H. Matsubayashi
Attorney for Applicants
Reg. No. 43,779

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DECLARATION OF HUGH H. MATSUBAYASHI
IN CONNECTION WITH PETITION UNDER 37 C.F.R. § 1.10(e) TO ACCORD FILING
DATE FOR EXPRESS MAIL CORRESPONDENCE

APPLICATION SERIAL NO. 09/593,352

I, Hugh H. Matsubayashi, declare:

1. On October 27, 2005 I caused to be mailed to the United States Patent and Trademark Office (“USPTO”) a Submission of Formal Drawings and 7 Sheets of Formal Drawings (Figures 1, 1A, 2, 3, 4, 5, and 6) via Express Mail Label EV 679 031 326 US for the above-identified application. A copy of the Submission of Formal Drawings containing my signature is attached hereto as Exhibit A. A copy of the Return Receipt Postcard, stamped by the OIPE of the USPTO as received on October 27, 2005, is attached hereto as Exhibit B. This Return Receipt Postcard indicates that a Submission of Formal Drawings (1 page) and 7 Sheet of Formal Drawings (Figures 1, 1A, 2, 3, 4, 5 and 6) were enclosed. A copy of Express

Mail Label EV 679 031 326 US signed by the U.S. Postal Office on October 27, 2005 is enclosed as Exhibit C. These copies are true copies of the originally-mailed documents.

2. On February 8, 2006, I was checking the status of the above application on the USPTO PAIR system and I discovered the Notice of Abandonment issued by the USPTO on February 2, 2006. After discovering the Notice of Abandonment, I promptly contacted the Assignee of the above application, Landrex Technologies Co., Ltd., to inform them of the abandonment and to request their authorization to prepare the necessary papers to revive the application. Promptly thereafter, the Assignee granted the requested authorization.

3. All statements made herein of my own knowledge are true and all statements made herein on information and belief are believed to be true.

EXPRESS MAIL LABEL NO.
EV 744 909 068 US

Respectfully submitted,



Hugh H. Matsubayashi
Attorney for Applicants
Reg. No. 43,779

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